

**BOARD OF REGISTRATION IN PHARMACY  
MEETING MINUTES**

May 11, 2010

239 Causeway Street, Room 206  
Boston, Massachusetts 02114

**Board Members  
Present**

Joanne Trifone, R.Ph. Stanley Walczyk, R.Ph. Sophia Pasedis, R.Ph.  
Pharm.D.; Michael Tocco, R.Ph, M.Ed.; James T. DeVita, R.Ph.; Kathy  
Fabiszewski, Ph.D., N.P., Donald D. Accetta, M .D., M.P.H.; George  
Cayer, R.Ph.

**Board Members Absent  
Staff Present**

Steven Budish; William A. Gouveia, R.Ph., M.S.  
James D. Coffey, R.Ph. Director; Margaret Cittadino, M.Ed., Associate  
Director; Susan Manning, Board Counsel; Leo McKenna, R.Ph.,  
Pharm.D. Quality Assurance Coordinator; Samuel J. Penta R.Ph.  
Supervising Investigator; Cheryl Lathum R.Ph. Pharm.D. Investigator;  
James Emery, P.T. Investigator

1. 8:30 a.m. CALL TO ORDER - President Joanne M. Trifone, R.Ph.
2. 8:35 a.m. REVIEW/ADOPTION OF BOARD MINUTES  
- December 15, 2009  
- January 12, 2010  
**Motion** Walczyk/Pasedis to approve minutes.  
**Approved**
3. 8:40 a.m. **LICENSING:** Pharmacy/Wholesale Distributor Applications  
Assoc. Dir. Cittadino

New Store

**Eaton Apothecary** 2160, 637 Washington Street, Dorchester Center

Change of Manager

**Critical Care Systems Inc,** 191 Bay State Drive, Braintree (DS3327)

**CVS 00929,** 272 East Central Street, Franklin (DS2946)

**CVS 693,** 1616 Memorial Drive, Chicopee (DS3250)

**CVS 672,** 36 Pleasant Street, Malden (D02148)

**CVS 1025,** 272 Highland Avenue, Salem (DS89673)

**CVS 1031,** 46 W. Washington Street, Roslindale (DS89682)

**CVS 1893,** 90 Main Street, Northampton (DS2355)

**Hannaford 0003,** 118 Lancaster Street, Leominster (DS2684)

**New England Home Therapies,** 337 Turnpike Road, Southboro (DS3488)

**Oscos Pharmacy 7586,** 61 Locust Street, Medford (DS3037)

**Rite Aid 10176,** 240 Avenue A, Turners Falls (DS3036)

**Rite Aid 10178,** 28 Depot Street, Duxbury (DS2382)

**Stop & Shop Pharmacy 482,** 400 Chief Justice Cushing Hgwy, Cohasset (DS2287)

**Walgreens 11119,** 720 Main Street, Clinton (DS89657)

**Walgreens 12323,** 21 Main Street, Maynard (DS89698)

**Walgreens 2861,** 653 Worcester Road, Framingham (DS2232)

**Walgreens 2889,** 99 Granger Blvd., Marlborough (DS2206)

**Walgreens 3112,** 1425 Massachusetts Avenue, Arlington (DS2798)

**Walgreens 3151**, 320 Park Avenue, Worcester (DS2470)  
**Walgreens 4404**, 771 Centre Street, Brockton (DS2779)  
**Walgreens 9152**, 937 West Boylston Street, Worcester (DS3515)  
**Wal-Mart Pharmacy 10 2329**, 555 East Main Street, Orange (DS2751)

Relocation

**Pharmahealth Long-Term Care**, 32 Alden Road, Fairhaven FROM 358 Faunce Corner Road, Dartmouth

Store Closing

**Rite-Aid 10080**, 1089 Central Street, Leominster (DS3463). Files and records to be transferred to Walgreens 10427, 35 Central Street, Leominster; CII – CV and legend drugs to be transferred to Rite Aid 10085, 5 Shrewsbury Street, Holden (DS3180)

Renovation/Expansion - Retail Drugstore/Pharmacy

**CVS 1955**, 548 Dartmouth Street, South Dartmouth (DS2356)  
**CVS 0144**, 12 Harvard Street, Waltham (DS2821)  
**CVS 1132**, 13 ½ Pond Street, Newburyport (DS1734)  
**CVS 0838**, 247 East Main Street, Westfield (DS01085)  
**CVS 0321**, 95 Washington Street, Canton (DS2989)  
**Inman Pharmacy**, 1414 Cambridge Street, Cambridge (DS1111)

Renovation/Expansion – Nuclear Pharmacy

**GE Healthcare**, 20 Commerce Way, Suite A, Woburn (NU10)

**Motion** Cayer/Walczyk to approve applications.

**Recused** Trifone for Walgreens; Tocco/DeVita for CVS

**Approved**

4. 8:45 a.m. INTRODUCTION  
David Ring – Coordinator, Massachusetts Professional Recovery System Program
5. 8:50 a.m. UPDATES  
Dir. James D. Coffey/Assoc. Dir. Margaret Cittadino
  - Board Dispositions
  - Request for Response (RFR) related to Licensure Application Processing for Pharmacy Technicians
6. 9:00 a.m. REPORT OF OFFICE OF INVESTIGATIONS  
 File Review - Samuel J. Penta, R.Ph. Supervising Investigator;  
 James C. Emery, Investigator, Cheryl Latham, Pharm.D. R.Ph.,  
 Investigator, Leo A. McKenna, Pharm.D. R.Ph., QA Coordinator

	DOCKET	BOARD ACTION
1	PHA2010-0025 All Care Pharmacy DS3062  PHA2010- 0068 Panagiotis H. Papavasiliou PH26691	<b>Motion</b> DeVita/Walczyk for to Dismiss with Advisory Letter to both the pharmacy and pharmacist. <b>Approved</b>
2	PHA2010-0034 Walgreens 7617 DS3342  PHA2010-0071 Katherine H. Patterson PH24719	<b>Motion</b> Tocco/ Walczyk to schedule an investigative conference with all parties. <b>Recused:</b> Trifone (not present) <b>Approved</b>

	PHA2010 – 0070 Darlene T. Nguyen PT8421	
3	PHA2010-0057 John W. McAvoy PH18578 (Exp.1990)	<b>Motion</b> Walczyk/Cayer to Dismiss Without Prejudice (discipline in another jurisdiction) and advise licensee that he seeks to renew in Massachusetts the Board will re-open this complaint. <b>Approved</b>
4	PHA2010-0055 Augustine K. Oppong PH22964 (Exp. 2002)	<b>Motion</b> Walczyk/Cayer to Dismiss Without Prejudice (discipline in another jurisdiction) and advise licensee that he seeks to renew in Massachusetts the Board will re-open this complaint. <b>Approved</b>
5	PHA2010 0054 George F. Ritchie PH13756 (Exp. prior to 1985)	<b>Motion</b> Walczyk/Cayer to Dismiss Without Prejudice (discipline in another jurisdiction) and advise licensee that he seeks to renew in Massachusetts the Board will re-open this complaint. <b>Approved</b>
6	PHA2010-0035 CVS 1140 DS24183	<b>Motion</b> Cayer/Accetta to dismiss with advisory letter regarding communication. <b>Recused:</b> DeVita and Tocco (not present) <b>Approved</b>
7	SA-INV-1072 CVS 1264 DS1966	<b>Motion</b> Pasedis/Walczyk to Dismiss the staff assignment with letter to complainant to continue pharmacy counting of pills if needed and to secure medication at home. <b>Recused:</b> DeVita and Tocco (not present) <b>Approved</b>
8	PHA2009-0151 Susan A. Collina PH23229	<b>Motion</b> Cayer/Pasedis – after review of pharmacist's response to proposed consent agreement and review of complaint details, the Board will make no change to proposed disposition (reprimand). <b>Recused:</b> DeVita and Tocco (not present) <b>Approved</b>
9	SA-INV-242 CVS 860 DS1406  PHA2010-0042 Gregory S. Roberts PH19241	<b>Motion</b> Pasedis/ Walczyk to Dismiss - No Violation <b>Recused:</b> DeVita and Tocco (not present) <b>Approved</b>  <b>Motion</b> /Pasedis/Cayer to Dismiss – No Violation <b>Recused:</b> DeVita and Tocco (not present) <b>Approved</b>

10	PHA2009-0069 Sedells Pharmacy DS1625  PHA2009-0153 C. Robert Carpenter PH14031	<b>Motion</b> DeVita/Walczyk to Dismiss with Advisory Letter. <b>Approved</b>  <b>Motion</b> DeVita/Walczyk to dismiss with advisory letter. <b>Approved</b>
11	PHA2010-0052 Anthony T. Tramontozzi PH27255	<b>Motion</b> DeVita/Walczyk to accept Voluntary Surrender. <b>Approved</b>
12	PHA2010-0043 Peter E. Shubert PH15979	<b>Motion</b> Trifone/Cayer for Reprimand and 45 remedial continuing education credits which include 3 law, in addition to the 15 credits for 2010, by 12/31/2010. <b>Approved</b>
13	PHA2010-0061 Christine M. Clark PH25723	<b>Motion</b> Trifone/Cayer to Dismiss with Advisory Letter and 10 continuing education credits by 12/31/2010. <b>Approved</b>

7. 10:15 a.m. LEGAL/REPORT OF OFFICE OF GENERAL COUNSEL

Pending Legal Matters - Susan Manning, Board Counsel  
MGL c. 112, s. 65C and MGL c. 30A, s. 11A

Collaborative Drug Therapy Management (CDTM): Review of  
Public Hearing (4/6/10) comments related to proposed Board of Pharmacy  
CDTM Regulations (247 CMR 16.00)

**CDTM Update** – Board has proposed clarifying comments to Board of  
Registration in Medicine (BORIM). After BORIM finalizes CDTM regulations,  
the DCP regulations (controlled substance registration) will be adopted by the  
Public Health Council.

**Motion** Tocco/Pasedis to adopt regulations to be filed on date to be coordinated  
with other agencies.

**Approved**

10: 45 a.m. **Motion** Trifone/DeVita to enter closed session. **Approved**

10: 15 a.m. **Motion** Cayer/Walczyk to end closed session. **Approved**

Matter of **Julia Herne** PT6950 – Docket No.PHA-2009-0173  
**Motion** Cayer/Trifone to refer to Office of Public Protection.  
**Recused:** Pasedis (not present)  
**Approved**

8. 11:15a.m. NEW COMMUNITY PHARMACY APPLICATION/Appearance  
**CONLEYS DRUG STORE, INC.** – Proposed: 7 Railroad Avenue, Gloucester

Retail pharmacy applicant proposes to dispense Schedule II-VI controlled substances. Present: Proposed Manager of Record Alexander R. Doyle, R.Ph. (PH26776), President.

**Motion** Walczyk/Cayer to approve application.

**Approved**

9. 11:35 a.m. DISCUSSION - NABP Matters

- Proposed amendments to the NABP Constitution and Bylaws
- NABP resolutions (pending)
- Subcommittee for 2011 NABP/AACP District I Annual Meeting to be hosted by Massachusetts: Margaret Cittadino, Sophia Pasedis, Joanne Trifone, and Stanley Walczyk

10. 11:45 a.m. FLEX DISCUSSION

**NEW BUSINESS**

a) **Joseph Leonard, Jr.** - Pharmacy Technician

**Motion** Walczyk/Cayer to approve.

**Approved**

b) **Jackie Beutow** - Reciprocal Pharmacist

**Motion** DeVita/Tocco to approve application with probation for a year upon issuance of license.

**Recused:** Trifone

**Opposed:** Pasedis/Walczyk

**Approved**

c) **Heather MacDonald** - Pharmacy Technician

**Motion** Trifone/Walczyk to approve.

**Approved**

d) **Judith Fallavolitta** (PH 17988/Exp. while on Suspension 12/31/1996) - Docket PH-95-115. Reinstatement inquiry.

**Motion** DeVita/Walczyk for MPRS evaluation.

**Approved**

e) **Patrick J. Clark, R.Ph.** (PH. 25373) - Docket PHA-2009-008.

Petition for termination of Suspension/conversion to Probationary status.

**Motion** Walczyk/Cayer to terminate suspension with practice restrictions and convert to Probationary status.

**Approved**

f) **J.E. Pierce Apothecary, Inc.**, Brookline (DS89671) requests to

employ interns prior to one year restriction from effective date of 7/13/2009.

**Motion** Pasedis/Cayer to DENY request for intern placement prior to 7/13/2010.

**Approved**

**Opposed** Walczyk/DeVita

## OLD BUSINESS

Review of *Joint Guidelines for the Use of Automated Pharmacy Systems*  
*Guidelines for the Storage and Dispensing of Schedule VI Controlled Substance*  
*Prescriptions in Pharmacies*

**Motion** Pasedis/Cayer to approve Joint Guidelines.

**Approved**

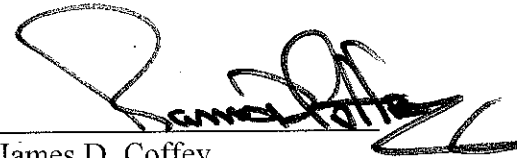
Review of the *Best Practice Recommendation # 26 – Proper Storage of*  
*Refrigerated/Frozen Medications*. Updated recommendation will be presented for  
review at next meeting.

## 11. INFORMATIONAL ITEMS (FYI)

**12:55 a.m. Motion** Trifone/Walczyk to adjourn. **Approved.**

## ADJOURNMENT

Respectfully submitted by:



James D. Coffey  
Director

Board approved: October 19, 2010

BOARD OF REGISTRATION IN PHARMACY  
CLOSED SESSION MINUTES  
MAY 11, 2010  
239 CAUSEWAY STREET, ROOM 206  
BOSTON, MA 02114

Closed Session – M.G.L. c. 112, s. 65C (Pending Complaints)  
M.G.L. c. 30A, s. 11A (Adjudicatory)

10: 45 a.m. **Motion** Trifone/DeVita to enter closed session. **Approved**

Matter of **Julia Herne – Pharmacy**

10: 15 a.m. **Motion** Cayer/Walczyk to end closed session. **Approved**